

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) CRIMINAL NO. 04-10306-PBS
)
TREVOR CHARLTON)

GOVERNMENT'S OPPOSITION TO DEFENDANT'S MOTIONS FOR VIEW

The defendant has moved anew to have the jury view 37 Ellsworth Street in Brockton, the location at which the firearm was recovered. It is the government's understanding that the outside of that building is different in certain respects from its appearance on July 25, 2004. For example, the chain link around the property, prominent in photographs taken at the time of the incident, is no longer there. In addition, the government believes that testimony and photographs, such as those introduced at the first trial, can adequately describe the premises in material respects and can adequately place in context the officers' testimony without devoting the time, expense, and disruption inherent in a jury view of a location at some considerable remove from the Courthouse.

CONCLUSION

For the foregoing reasons, this Court should deny the

defendant's motion for a view.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /S/Robert E. Richardson
ROBERT E. RICHARDSON
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I, Robert E. Richardson, hereby certify that this documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 29, 2007.

/s/Robert E. Richardson
ROBERT E. RICHARDSON